

## HUMAN SERVICES BOARD

## INTRODUCTION

## FINDINGS OF FACT

1. The petitioner was a VHAP recipient earning self-employment income of about \$733 per month.
2. On December 4, 2003, PATH sent the petitioner a notice that his new premium for VHAP would be \$35 per month and that the next payment would be due on January 15, 2004. Prior to this notice, the petitioner was paying \$10 every six months for his VHAP.
3. The petitioner did not pay the premium and his VHAP was cancelled. The petitioner says that he was told later by the District Office worker that the \$35.00 premium bill had been wrong. He had no insurance during January or February but

also had no medical expenses during those months. He reapplied for VHAP and was found eligible in March of 2004 based on a new income of \$433.42 per month. At that time he was charged a premium of \$10 per month.

ORDER

The decision of PATH setting the premium amount is affirmed.

REASONS

On December 1, 2003, PATH adopted new premiums for the VHAP program payable monthly, instead of semi-annually, the amount of which is based on the income of the recipient. VHAP 4001.91. The income scale is listed in the regulations as a percentage of the Federal Poverty Level (FPL) which in December of 2003 was \$748.60. See Procedures Manual 2420A. A person between 50 and 75 percent (\$374.30 and \$561.45) of the FPL pays \$10 per month while a person between 75 and 100 percent (\$561.45 and \$748.60) of the FPL pays \$35.00 per month. The petitioner's income of \$733 per month during December of 2003 placed him well within the 75 and 100 percent of FPL category for which the premium is \$35.00 per month. PATH has a right to terminate VHAP benefits if the premium is not paid by the due date. VHAP 4001.9. PATH correctly

assessed the petitioner's premium and correctly terminated his benefits when he failed to pay the premium on time. It does not appear that the petitioner actually had any medical expenses during the months that his VHAP was terminated due to lack of payment of his premium so he appears to have no damage from the action making the issue technically moot. However, the petitioner should be aware that his premium was correctly calculated and that should his income go over \$561.45 per month, his premium will go up to \$35.00 per month again.

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